

Article - Criminal Law

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§9–801.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Coerce” means to compel or attempt to compel another by threat of harm or other adverse consequences.
- (c) “Criminal gang” means a group or association of three or more persons whose members:
 - (1) individually or collectively engage in a pattern of criminal gang activity;
 - (2) have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and
 - (3) have in common an overt or covert organizational or command structure.
- (d) “Enterprise” includes:
 - (1) a sole proprietorship, partnership, corporation, business trust, or other legal entity; or
 - (2) any group of individuals associated in fact although not a legal entity.
- (e) “Pattern of criminal gang activity” means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes or acts by a juvenile that would be an underlying crime if committed by an adult, provided the crimes or acts were not part of the same incident.
- (f) “Solicit” has the meaning stated in § 11–301 of this article.
- (g) “Underlying crime” means:
 - (1) a crime of violence as defined under § 14–101 of this article;

(2) a violation of § 3–203 (second degree assault), § 3–1102 (sex trafficking), § 3–1103 (forced marriage), § 4–203 (wearing, carrying, or transporting a handgun), § 9–302 (inducing false testimony or avoidance of subpoena), § 9–303 (retaliation for testimony), § 9–305 (intimidating or corrupting juror), § 11–304 (receiving earnings of prostitute), or § 11–307 (house of prostitution) of this article;

(3) a felony violation of § 3–701 (extortion), § 4–503 (manufacture or possession of destructive device), § 5–602 (distribution of CDS), § 5–603 (manufacturing CDS or equipment), § 5–604(b) (creating or possessing a counterfeit substance), § 5–606 (false prescription), § 6–103 (second degree arson), § 6–202 (first degree burglary), § 6–203 (second degree burglary), § 6–204 (third degree burglary), § 7–104 (theft), or § 7–105 (unauthorized use of a motor vehicle) of this article; or

(4) a felony violation of § 5–133 of the Public Safety Article.

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